

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

FCCC 96-11

U.S. APPLICATION NO. 09/202549 37 CFR 1.51

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US97/10486	17 June 1997	17 June 1996

TITLE OF INVENTION
NUCLEIC ACID MOLECULE FOR ENHANCING GENE EXPRESSION

APPLICANT(S) FOR DO/EO/US
Philip TSICHLIS, H. Leighton GRIMES and Patrick ZWEIDLER-MCKAY

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A FIRST preliminary amendment.
14. A SUBSTITUTE specification.
15. A change of power of attorney and/or address letter.
16. Other items or information:
 1. Copy of Verified Statement (Declaration) Supporting Another's Claim for Small entity Status [37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization from U.S. Provisional Application No. 60/019,808
 2. Certificate of Express Mailing Under 37 CFR 1.10

17. The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):
 Search Report has been prepared by the EPO or JPO..... \$830.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
 \$640.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482)
 but international search fee paid to USPTO (37 CFR 1.445(a)(2)).. \$710.00

Neither international preliminary examination fee (37 CFR 1.482) nor
 international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$950.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
 and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$90.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

Claims	Number Filed	Number Extra	Rate	
Total Claims	25 - 20 -	5	X 18.00	\$ 90 00
Independent Claims	5 - 3 -	2	X 78.00	\$ 156 00

Multiple dependent claim(s) (if applicable)	+	\$	472 00
TOTAL OF ABOVE CALCULATIONS			

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).	\$	236 00
SUBTOTAL =		

Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	+	\$	
TOTAL NATIONAL FEE =			

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+	\$	
TOTAL FEES ENCLOSED =			

	Amount to be: refunded	\$
	charged	\$

- a. A check in the amount of \$ 236.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Janet E. Reed, Ph.D.
 DANN, DORFMAN, HERRELL AND SKILLMAN
 1601 Market Street
 Suite 720
 Philadelphia, PA 19103-2307


 SIGNATURE

Janet E. Reed, Ph.D.

NAME

36,252

REGISTRATION NUMBER

09/202549

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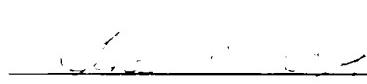
**CERTIFICATE OF MAILING
BY EXPRESS MAIL UNDER 37 CFR §1.10**

NUMBER OF EXPRESS MAIL MAILING LABEL EL076462317US

DATE OF DEPOSIT WITH POSTAL SERVICE December 16, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. §1.10 on the date indicated above, and is addressed to the COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231.

Tina M. Doyle
Typed Name of Person Mailing Paper or Fee


Signature of Person Mailing Paper or Fee

Re: International Application No. PCT/GB97/10486
"NUCLEIC ACID MOLECULE FOR ENHANCING GENE EXPRESSION"
Applicants: Philip Tsichlis et al.
International Filing Date: 17 June 1997
Priority Date: 17 June 1996

Enclosures:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390)
- Copy of Verified Statement (Declaration) Supporting Another's Claim for Small Entity Status [37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization from the corresponding priority application, U.S. Application No. 60/019,808
- Check for \$236.00